

### **REMARKS**

The comments in the Office Action of April 13, 2004 have been reviewed and Applicants thank the Examiner for his willingness to enter the prior Amendment and to explain what elements of the current invention he believes to be free of the prior art. This Amendment has utilized these comments as a guide in modifying the claims to generate allowable subject matter. In order to put forward an allowable claim set and reduce any confusion relative to prior amendments the Applicants have entered a series of new claims integrating the limitations of interest as indicated by the Examiner, while canceling the prior claims. The new claims correspond to modifications of independent claims 6, 7, 10 and 20 utilizing the limitations provided by the Examiner. (see below). It is Applicants position that the new claims reflect the comments of the Examiner and are in condition for allowance. Reconsideration of this case, as amended, is respectfully requested.

Claims 6-8, 10, 20, 31-37 and 48-76 have been cancelled herein. No claims are amended herein. Claims 77 through 84, all independent claims, have been added herein to more precisely claim the invention and its allowable permutations as provided by the Examiner (claims 77-78 are modifications of old claim 6; claims 79-80 are modifications of old claim 7; claims 81-82 are modifications of old claim 10; and, claims 83-84 are modifications of old claim 20.. No new matter is added herein.

Applicant's must note that all possible efforts have been put forward to remove all the Examiners' rejections to the remaining claims. Consideration of the new claims is respectfully requested.

### **NEW MATTER OBJECTIONS**

Given the amendments provided above it is Applicants positon that any new matter objections are overcome. Consideration of the new claims is respectfully requested.

### **REJECTIONS UNDER 35 U.S.C. §112**

Given the application of the Examiner's remarks as provided on page 28 of the April 13, 2004 Office Action, prior rejections are traversed and consideration of new claims 77-84 under 35 U.S.C. § 112 is, respectfully, requested.

**PREVIOUS REJECTION UNDER 35 U.S.C. §103(A)**

*Dziegel et al* (1993), *Seed et al.* (1998), *Akashi et al.* (1994), *Bosch et al.* (1994),  
*and Bleck et al.* (1996),

Given the application of the Examiner's remarks as provided on page 28 of the April 13, 2004 Office Action, prior rejections are traversed and consideration of new claims 77-84 under 35 U.S.C. § 103(a) is, respectfully, requested.

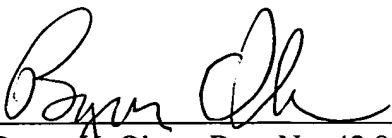
Other than a fee for the extension of time, no fee is deemed necessary in connection with the filing of this Amendment. However, the Commissioner is authorized to charge any fee which may now or hereafter be due for this application to GTC Biotherapeutics' Deposit Account No. 502092.

Applicants respectfully submit that the pending claims of this application are in condition for allowance, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicant's attorney would advance the prosecution of the case to finality, the Examiner is invited to telephone the undersigned at the number given below.

Early and favorable action is earnestly solicited.

Respectfully Submitted,

Date: 9/23/04

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